

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>

ORDER GRANTING MOTION FOR LEAVE TO FILE LEGAL BRIEF AS *AMICUS CURIAE*  
BY THE OFFICE OF THE COURTS ADMINISTRATION OF THE COMMONWEALTH OF PUERTO RICO

The Court has received and reviewed the *Motion for Leave to File Legal Brief as Amicus Curiae by the Office of the Courts Administration of the Commonwealth of Puerto Rico* (Docket Entry No. 18205 in Case No. 17-3283, the “Motion”)<sup>2</sup> filed by the Office of the Courts Administration of the Commonwealth of Puerto Rico (“OAT”), together with the *Notice of No Objection of Financial Oversight and Management Board for Puerto Rico to the Office of the Courts Administration of the Commonwealth of Puerto Rico’s Motion for Leave to File Legal Brief as Amicus Curiae* (Docket Entry No. 18257 in Case No. 17-3283, the “Notice of No

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

Objection") filed by the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board").

In the First Circuit, the acceptance of amicus briefs is within the sound discretion of the court. Strasser v. Doorley, 432 F.2d 567, 569 (1st Cir. 1970). Absent joint consent of the parties, a district court "should go slow in accepting, and even slower in inviting, an amicus brief unless, [] a party . . . has a special interest that justifies his having a say, or unless the court feels that existing counsel may need supplementing assistance." Id.

Although the Oversight Board's Notice of No Objection "disputes OAT's characterization of the Plan's treatment of the [Judiciary Retirement System] benefits," it "does not object to OAT filing the Brief" identified in the Motion, "subject to reserving all substantive and procedural rights in connection with the Brief (including the right to object to its content)." (Notice of No Obj. ¶ 3.)

Accordingly, in light of the lack of objection from any party in interest, and the Court having found that OAT has demonstrated a special and particularized interest in relation to the *Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (Docket Entry No. 17627 in Case No. 17-3283, the "Plan of Adjustment"), and the *Disclosure Statement for the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (Docket Entry No. 17628 in Case No. 17-3283, the "Disclosure Statement"), and that no other or further notice is required, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein;
2. Leave to file the Proposed Brief, as amicus curiae, is hereby granted to OAT;
3. This Order shall not be construed as providing leave to appear in Court, to propound discovery, or to present evidence;
4. The Oversight Board's substantive and procedural rights in connection with the Proposed Brief are reserved; and
5. This Order resolves Docket Entry No. 18205.

SO ORDERED.

Dated: September 30, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge